IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 18298 of 2004

Between:

A.K. Kashinath, S/o Late A.K. Narayanswamy,
C/o 15-5-422, Ashok Bazaar, Behind Shanker Sher Hotel, Gowliguda Chaman,
Hyderabad.

..... PETITIONER

AND

The American Express Bank Ltd, rep. by its Manager, Begumpet Branch,
Hyderabad.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ, direction or order more particularly in the nature of writ of prohibition declaring/directing the 1st respondent not to proceed with C.C.No. 98/2004 as the same is without jurisdiction and illegal and violative of Arts 14 and 21 of the Constitution of India and the provisions of Negotiable Instruments Act 1882.

Counsel for the Petitioner:MR.VIJAY ASHRIT

Counsel for the Respondent : None appeared

The Court at the stage of admission made the following Order:

On the basis of the material placed before this Court, no case is made out to show that the Court where the proceedings are initiated lacks inherent jurisdiction to try the same. Even assuming that the impugned proceedings suffer from any irregular or illegal exercise of jurisdiction, it cannot be a ground for issuance of a writ of prohibition as prayed for.

Accordingly, the writ petition is dismissed. This shall not preclude the petitioner to urge all the points as available under law before the Court where the proceedings are pending. No coasts.

07-10-2004

kdl

To

1 The Manager, The American Express Bank Ltd, Begumpet Branch, Hyderabad.

2 To C.D. Copies.